

AO 91 (Rev. 11/11) Criminal Complaint

AUSA: Ann Nee
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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Luis Alberto DOMINGUEZ-BEZERIL

Case 4:21-mj-30502

Assigned to: Curtis Ivy, Jr.

Date: 10/27/2021

CMP USA v DOMINGUEZ-BEZERIL (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 18, 2021 in the county of Shiawassee in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8, United States Code, Section 1326(a)

Unlawful Re-entry after Removal from the United States.

This criminal complaint is based on these facts:

On July 18, 2021, at or near Owosso, Michigan, in the Eastern District of Michigan, Southern Division, DOMINGUEZ-BEZERIL, an alien from Mexico was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about July 12, 2012, at or near El Paso, TX and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

October 26, 2021

Date: _____

City and state: Flint, MI


Complainant's signature

Lawrence C. Ballard, Deportation Officer
Printed name and title


Judge's signature

Curtis Ivy, Jr., United States Magistrate Judge
Printed name and title

Affidavit

I, Lawrence C. Ballard, being duly sworn, do hereby state:

1. I am a Deportation Officer with the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE), currently assigned to Enforcement and Removal Operations. In such capacity, I have reviewed the official Immigration file and system automated data relating to Luis Alberto Dominguez-Bezeril which attests to the following:
2. Dominguez-Bezeril is a twenty-seven-year-old male, native and citizen of Mexico, who last entered the United States at an unknown place on an unknown date without being admitted, inspected or paroled by an Immigration Officer.
3. On February 5, 2012, U.S. Border Patrol (USBP) apprehended Dominguez-Bezeril at or near Donna, TX and granted him a voluntarily return to Mexico on February 6, 2012.
4. On July 6, 2012, USBP apprehended Dominguez-Bezeril at or near Columbus, NM. Dominguez-Bezeril was served with Form I-860 Notice and Order of Expedited Removal, and he was presented for prosecution for illegal entry.
5. On July 11, 2012, Dominguez-Bezeril was convicted in the U.S. District Court for the District of New Mexico, case number 12-po-01268, for the offense of Illegal Entry Without Inspection in violation of 8 U.S.C. 1325(a)(1) and sentenced him to 6 days imprisonment.
6. On July 12, 2012, Dominguez-Bezeril was returned to ICE custody and subsequently removed to Mexico on the same date, from at or near El Paso, TX.
7. On February 26, 2017, the Clinton County Sheriff Department, Clinton County, MI arrested Dominguez-Bezeril for operating without a license and operating with a high blood alcohol level. On March 15, 2017, the 65th District Court in St. Johns, MI issued Dominguez-Bezeril a criminal bench warrant for failure to appear.
8. On July 18, 2021, the Owosso Police Department, Owosso, MI arrested

Dominguez-Bezeril for assault, and he was subsequently charged with assault with intent to murder and domestic violence. During booking at the Shiawassee County Sheriff's Department, Dominguez-Bezeril was fingerprinted which revealed a match to Dominguez-Bezeril, Alien File No. XXX XXX 538, a previously deported Alien.

9. On October 14, 2021, the 35th Circuit Court in Shiawassee County, MI granted a motion for nolle prosequi and dismissed the case without prejudice.
10. On October 15, 2021, Dominguez-Bezeril was arrested by ICE at the Shiawassee County Jail and transported to the Detroit Field Office for processing. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
11. On October 15, 2021, records from Alien File (A# XXX XXX 538) for Dominguez-Bezeril and queries in Department of Homeland Security databases were reviewed and revealed that no record exists of Dominguez-Bezeril obtaining the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States following his removal on July 12, 2012.

12. Therefore, there is probable cause to believe that Luis Alberto Dominguez-Bezeril is an alien who unlawfully reentered or was found in the United States after removal, without the express permission from the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission into the United States, in violation of Title 8, United States Code, Section 1326(a).



Lawrence Ballard, Deportation Officer
Immigration & Customs Enforcement

Sworn to before me and signed in my
presence and/or by reliable electronic means
on October 27 , 2021.



Honorable Curtis Ivy, Jr.
United States Magistrate Judge